

1895-008 Chancery Causes: James P. Barron vs. L. J. Slemp  
Lee Co.

CA-Debt  
T-Property



To the Hon. H. S. K. Morrison Judge of the Circuit Court  
of Lee County,

Humbly complaining, sheweth unto your honor  
your orator James P. Barron, that on the 27th day of Dec.  
1892, he obtained a judgment before John Piddle a Justice  
of the Peace for Lee County, against L. J. Slump  
of the said county for \$27.50, with interest thereon,  
at six percent per annum from the 5th day of May 1892  
till paid, and \$1.40 costs on which said judgment  
a writ of "fieri facias" was duly issued by the said Justice  
directed to H. M. H. Meason Constable of said county, returnable  
in sixty days, which was placed in the hands of the  
said constable to be executed, and was on the return  
day thereof returned by the said constable, with the following  
return endorsed thereon to wit: "No property found this  
the 25th day of Jan. 1893, H. M. H. Meason C. L. C."  
Now your orator further states, that the said L. J. Slump  
is seized and possessed in fee simple of tract of land  
lying and being in Turkey Cove, in Lee County, containing 30  
acres more or less, bounded by the lands of  
And known as lot No. 6, as shown by the common  
report in the partition of the lands of Huala Slump Dec.  
And that he is advised that his judgment is a lien  
under the Statute law of Virginia, on the said real  
estate, that the rents and profits of the said real estate  
will satisfy the said judgment in five years, and  
your orator further alleges that there are no other liens  
against said real estate. In tender consideration  
whereof, far as much as your orator is bound by in the pre-  
sents done by the aid of a court of equity, where matters of  
this kind are alone properly cognizable, your orator  
prays that the said L. J. Slump be made a party defen-  
dant to this bill, and required to answer the same that  
he will not answer with, that the said real estate be  
vested, to satisfy your orator's judgment, and that your honor  
will grant unto your orator such further and general relief

\* Attorney be satisfied with equity and the case requires, may proceed otherwise  
your orator will ever pray  
M. H. C. by P. O.



Levy-

James P. Barran Off.

N<sup>o</sup> 33  
33 Bill in Chancery.

L. J. Shump Dept.

1893. 1<sup>st</sup> Aug. Rules Bill  
filed for Exd & D. N.  
" 2<sup>nd</sup> Aug. Rules D. N.  
Cause & cause  
set for hearing by  
Plaintiff



Virginia, Lee County, To-wit:

TO

*M. H. Reason*

CONSTABLE OF SAID COUNTY,

I HEREBY COMMAND YOU TO SUMMON *L. J. Stemp* if to be found in your District to appear at *John Riddle* in said County, on the *16* day of *Oct* 189*2*, before me or such other Justice of said County as may then be there to try this Warrant; to answer the complaint of *James P. Barron* and upon a claim for money not exceeding \$100 exclusive of interest, to-wit: for the sum of \$*27.50* due by *Note* and then and there make return of this Warrant. Given under my hand, the *15* day of *Oct* 189*2*.

*John Riddle* J. P.

*James P. Barron* On the *27* day of *December* 189*2*  
} In Debt,  
*L. J. Stemp* AGAINST *John Riddle* in said County.

JUDGMENT. That the Plaintiff recover of Defendant \$*27.50* with interest thereon from the *5<sup>th</sup>* day of *May* 189*2*, till paid, and \$*1.40* for costs.

*John Riddle* J. P.

VIRGINIA, LEE COUNTY TO WIT: To *M. H. Reason* Constable of

said County. I command you in the name of the Commonwealth of Virginia, that of the goods and chattels of *L. J. Stemp*

in your county you cause to be made the sum of \$*27.50* with interest from the *5<sup>th</sup>* day of *May* 189*2*, till

paid; which *James P. Barron* has recovered before me in a warrant in debt and also the sum of

\$*1.40* which were judged to the said *James P. Barron* for costs in prosecuting said war-

rant. Given under my hand the *27<sup>th</sup>* day of *December* 189*2*

*John Riddle* J. P.



This warrant is postponed until the 22 day of Oct<sup>r</sup> 1892  
this 16<sup>th</sup> day of Oct 1892 John Piddle J<sup>r</sup>

Cost by Six Dollars May the 9<sup>th</sup> 1892

James P. Barron  
U.S. warrant  
L. I. Slerrif  
\$ 27 50

Executed this  
day of Oct 1892  
John Piddle J<sup>r</sup>

No Property found  
this 9<sup>th</sup> day of Oct  
1892

Filed & docketed  
Feby 3<sup>rd</sup> 1893  
J. R. Gibson Ck



To the Honorable W. L. Miller Judge of the Circuit  
Court of Lee County.

The undersigned bill of your orator J. R. Barron  
respectfully sheweth unto your honor that heretofore  
your orator exhibited in this court his original bill  
of Complaint against L. J. Shuck to enforce a  
Judgment then described in said bill against the real  
estate of the said L. J. Shuck alleging that said Shuck  
was the owner of a 30 acre tract of land - but since  
the filing of said bill and taking a decree to rent  
said land your orator has learned that said  
tract of land is conveyed to another party and was  
conveyed and recorded in County Court clerk's office  
before docketing of your orator's Judgment, Now your  
orator states and alleges that the said L. J. Shuck is  
seised and possessed in fee simple of an undivided  
interest in his mother's dower lands situated in  
Turkey Cove Va. and that his Judgment no part of which  
has been paid is a subsisting lien on said land having  
been docketed on the Judgment lien docket in County  
Court clerk's office, under the statute laws of Virginia  
that the rents and profits of the said land will not rent for  
enough in five years to pay the same, that there are no other  
liens against the same. The prayer of your orator is that  
the said L. J. Shuck be made a party to this amended bill  
and be required to answer the same but not on oath  
that the said real estate be sold to satisfy your orator's  
Judgment and that your honor will grant unto your  
orator such further and general relief as may be consistent  
with equity and the case requires. May it please and your  
orator will ever pray etc -

M. G. Ely, Jr.



Plffs costs

C 3.83

Tax 1.50

Shft 50

\$5.83

Defts Costs

C. 65

Leg-

J. P. Barron Plff.

Amended Bill.

L. J. Shump Deft.

1894. 2nd May Rules <sup>Amended</sup> Bill  
filed Sp. Ex. & D. M.

" 1st June Rules taken the  
last Monday in May  
Deere vs. conf. &  
Cause set for hearing  
by Plff

" June Term 1894 Deere vs. Cont.

" Nov. " " " Contd.

1895 March Term Contd.

" June Term Deere final

See Chey Order Book

Page. 214



1 Virginia: In the Circuit Court of Lee County.  
2 At the June Term, 1894.

3 L. J. Slump

4 adx } Answer in Chy.

5 James P. Barron

6 To the Hon. W. T. Miller, Judge of said Court.

7 The answer of L. J. Slump to a bill in Chancery  
8 filed in this Court by James P. Barron against  
9 this respondent—

10 For Answer your respondent says  
11 that it is not true as stated in the Com-  
12 plainant's bill <sup>and cross bill</sup> of complaint that he owned  
13 an undivided interest in the dower lands  
14 of his mother at the time the Complainant  
15 obtained the judgment described in his  
16 bill and cross bill; that before the date  
17 of said judgment, December 27<sup>th</sup> 1892, he sold  
18 and conveyed said land, and all the in-  
19 terest he had in the estate of his father  
20 Anally Slump to N. P. Daniels, which deed  
21 bears date on the 15<sup>th</sup> day of March,  
22 1892, and the same was admitted to  
23 record on the 6<sup>th</sup> day of June 1892  
24 in the Clerk's Office of the County Court  
25 of Lee County—

26 Your respondent further states that he  
27 did not own any real estate within  
28 the Commonwealth of Virginia at the  
29 date of said judgment—

30 Your respondent further states that he  
31 was not present when said judgment  
32 was rendered against him; that he



1 had spoken to M. G. Cely, the attorney who  
2 brought this suit for the Complainant,  
3 to defend the matter before the Justice's  
4 Court; that the said Cely agreed to do  
5 so and without giving your re-  
6 spondent any notice that he would <sup>not</sup>,  
7 he failed to do so, and took a  
8 fee from the other side.

9 Your respondent says that he had  
10 a good and substantial defence  
11 to said Warrant and that he  
12 desires to make the same in this  
13 cause. And he has alledged that  
14 said Warrant was sued out upon a  
15 note which was executed for a man  
16 which J. P. Barron then sold to your  
17 respondent as a good sound ani-  
18 mal; that said Barron well knew  
19 that she was unsound and wor-  
20 thless; that she was unsound and  
21 worthless and that her disease was  
22 one that was not curable. Having  
23 fully answered your respondent prays to be  
24 hence dismissed with his costs.

25 Wm A. Orr, Atty  
26 for Respondent

27 Virginia: In the Clerk's Office of the Circuit  
28 Court of Lee County.

29 J. A. B. Munsey, Clerk of said Court-  
30 do certify that L. J. Slump appeared  
31 before me in my Office and  
32 made oath that the foregoing



1 Assured is true so far as  
2 the same depends on his own  
3 knowledge & so far as the same  
4 depends on information derived  
5 from others he believes it to be  
6 true. Given under my hand this the  
7 24<sup>th</sup> day of May, 1894.

8  
9 Sworn to before me this the 24<sup>th</sup> day of  
10 May 1894

11 A B Munsey Clerk  
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1 The within answer is excepted to from the writ in the margin  
 2 and first part is excepted to because no cross bill is filed in the case. As it  
 3 to the close, because irrelevant and immaterial. The defendant  
 4 can't set up such matters as that - in this stage of the case  
 5 he is estopped to deny that Judgment was not taken  
 6 vs. him regularly, & because he does not say that process  
 7 was not regularly served, the original bill in this case  
 8 was taken for confessed, process having been duly served  
 9 And said defendant can not now attack the Judgment  
 10 in this way, and set up his pious defense -  
 11 And this answer is excepted to as it refuses to counsel and  
 12 tends to reflect on him in a breach of duty to client, which  
 13 is untrue. Defendant made no defense to said warrant  
 14 on final trial abandoned the same, let Judgment go, and  
 15 converted his personal effects into money to prevent paying  
 16 the Judgment to the personal knowledge of Opp's attorney.  
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L. J. Kemp

Adm. J. Barker

J. Barker

Filed in open court  
this the 5th day of June

1894 J. B. Murrey  
Clerk

Wm. A. Opp. Atty.

Dad Book 27-12533-1



J. P. Barrow  
vs  
D. J. Slump } Item

This Cause came on  
this day to be heard upon the papers  
formerly read in the Cause, and  
was argued by Counsel, and by  
Consent of parties the case is  
dismissed, by each party paying  
his own Costs.



J. P. Barrow  
vs J. L. L. L.  
L. J. L. L.

Entered in  
Chancery Order  
Book V. Page 214

(current)

Entered  
June 12<sup>th</sup> 1895  
W. L. M.



James P. Barron Plff -  
Vs. ~~the~~ Deere,  
L. J. Shump Deft,

This cause came on this day to be heard on the bill taken for confessed as to the defendant L. J. Shump on whom process had been duly served, he still failing to appear and plead, answer and do unto the said bill, and was argued by counsel.  
On consideration whereof the court doth adjudge order and decree that the plaintiff recover of the defendant L. J. Shump the sum of \$27.50. with interest from the 5th day of May 1892. till paid and \$1.40 costs, and it is further adjudged, ordered and decreed that unless the said defendant L. J. Shump pay to the plaintiff the aforesaid sum within <sup>ten</sup> ~~thirty~~ days from the rising of this court, that M. Y. Ely who is hereby appointed a special Commissioner for the purpose <sup>at Chicago station</sup> ~~do advertise~~ <sup>to the highest bidder</sup> ~~of~~ <sup>the</sup> land in the bill mentioned, or so much thereof as will satisfy said claims, after having advertised the same by posting notice at the front door of the Court House and in the vicinity of the said land at least 30 days, before the rental thereof, the terms of said rental shall be costs of suit and sale paid down and balance due in one or two years to be evidenced by purchasers bond with approved security; but before rental Commissioner will execute bond in the sum of \$100. pursuant to law and report to court and the cause is continued,



James P. Baran Peff.

W. Z. Z. Deere

L. J. Shump Dept

Entered Sch. O.B. p. 5/3 1/4  
Nov. 11<sup>th</sup> 1893.

Enter this.

Nov. 16<sup>th</sup> 1893.  
H. L. K. M.



J. P. Barron  
vs } Decree in Chy  
L. J. Skunk

This cause came on this day to be heard  
on the amended bill, and answer of  
defendant filed with exceptions ~~thereto~~, and  
general replication thereto, and was argued  
by counsel. On consideration of which it  
is ordered, <sup>and decreed</sup> that the exceptions to the answer  
are sustained in so far as they go  
thereto and thereupon the plaintiff  
<sup>replied</sup> generally and the cause is  
continued.



J. P. Barron  
no { { beane  
L. J. Hurk

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Ent on Chy. Oré. Book P. 29

Enter this

AT J. M.

June 12-1893-



# The Commonwealth of Virginia.

To The Sheriff of Lee County Greeting:

WE COMMAND YOU TO SUMMON .....

*L. J. Slump*

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in .....

.....*August*.....next, being rule day to answer a bill in Chancery exhibited in our said Court against

.....*him*..... by .....

*James P. Barrow*

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This....*15<sup>th</sup>*....day of.....*June*.....18*93*in the 11*7* year of the Commonwealth.

*J. A. G. Hyatt* Clerk.

A Copy Teste.....Clerk.



(Edy)

J. P. Barron  
3 Spair  
no 3 Chey

L. J. Slomp

To 1st Aug. Rules 1893

Executed by  
Delivering a  
true copy of  
the within Spair  
to L. J. Slomp  
this June 7. 1893

L. M. Wade D. S.  
for C. E. Cleary

S. L. C.